

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

FUEL UNIVERSITY CITY, LLC

Plaintiff,

v.

**ALLIED INSURANCE COMPANY OF
AMERICA and NATIONWIDE d/b/a
ALLIED INSURANCE COMPANY OF
AMERICA**

Defendants.

CIVIL ACTION NO. 20-4478

ORDER

AND NOW, this 9th day of September 2021, upon consideration of upon consideration of Defendant Allied Insurance Company of America's Motion to Dismiss Amended Complaint, the responses and replies thereto, and for the reasons stated in the accompanying memorandum, it is hereby **ORDERED** that:

1. Plaintiff's Motion for Leave to File a Sur-Reply [Doc. No. 20] is **GRANTED**.

Plaintiff's sur-reply is deemed filed.

2. Defendant's Motion to Dismiss Amended Complaint [Doc. No. 17] is **GRANTED**. Plaintiff's Amended Complaint is **DISMISSED with prejudice**, and the Clerk of the Court is directed to **CLOSE** the case.
3. Defendant's Motion to Dismiss Complaint [Doc. No. 14] is **DISMISSED as moot**.

It is so **ORDERED**.

BY THE COURT:

/s/ **Cynthia M. Rufe**

**_____
CYNTHIA M. RUFE, J.**